

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION

UNITED STATES OF AMERICA)	
)	
)	
v.)	Case No. 3:11-CR-147 RM
)	
JOHN M. BALES II (1) ,)	
WILLIAM E. SPENCER (2), and)	
PAUL J. PAGE (3),)	

MEMORANDUM and ORDER

For the reasons state in open court at the hearing on August 23, 2012, the court:

(1) finds that the ends of justice outweigh the interest of the public and the defendants in a speedy trial under 18 U.S.C. § 3161(h)(7)(B)(iv), GRANTS defendant William Spencer's motion to continue trial [Doc. No. 109], VACATES the October 2, 2012 trial date, and RESETS this matter for a two-week jury trial commencing on **Tuesday, January 22, 2013, beginning at 9:30 a.m. (Eastern Standard Time)**; and

(2) MODIFIES the order of April 24, 2012 [Doc. No. 76] regarding the admissibility of co-conspirator statements as follows:

(a) the Government shall file its proffer with the court by January 8, 2013, and shall include in the proffer the content of each statement it contends is admissible under FED. R. EVID. 801(d)(2)(E),

even if it also contends the statement is admissible under another
Orule of evidence;

(b) the defendants shall file any objections they might have to
admission of the identified out-of-court statements under Rule
801(d)(2)(E) by January 15, 2013;

(c) oral argument on the defendants' objections is RESET for
Friday, January 18, 2013, at 1:30 p.m. (Eastern Standard Time),
and the October 1, 2012 hearing date is VACATED.

SO ORDERED.

ENTERED: August 23, 2012

/s/ Robert L. Miller, Jr.
Judge
United States District Court